

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE KEURIG GREEN MOUNTAIN SINGLE-SERVE  
COFFEE ANTITRUST LITIGATION.

CIVIL ACTION NO.: 14 Civ. MD 2542 (VSB) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Before the Court is Defendant Keurig's request (ECF No. 1862 (the "Request")) that the Court (i) enforce its June 28, 2022 Order (ECF No. 1855) by instructing Plaintiffs Winn-Dixie Stores, Inc. and Bi-Lo Holding, LLC (together, "Winn-Dixie") to prepare one or more witnesses to testify on Keurig's Rule 30(b)(6) topics, and (ii) compel Winn-Dixie to produce discovery related to its assignor, C&S Wholesale Grocers, Inc. ("C&S"). Having reviewed the parties' submissions, and having heard the parties' arguments during the lengthy discovery conference held today, July 14, 2022 (the "Conference"), the Court orders as follows:

1. With respect to the Rule 30(b)(6) topics as to Winn-Dixie (ECF No. 1862-2 at 6–14), the Request is GRANTED IN PART and DENIED IN PART. During the Conference, Winn-Dixie agree to produce witnesses as to these topics, subject to certain clarifications. The parties are referred to the transcript of the Conference for those clarifications.
2. The Court reserves judgment on the Request for discovery from C&S, including the Rule 30(b)(6) topics (ECF No. 1862-2 at 15–17), pending further briefing on this issue, and orders as follows:

- a. By **July 18, 2022**, Winn-Dixie shall file a letter (the “Letter”), not exceeding three (3) pages, explaining the basis for its assertion that Keurig is not entitled to discovery from C&S and attaching a copy of the assignment between C&S and Winn-Dixie (see Complaint, Winn-Dixie v. Keurig, et al., No. 21 Civ. 7504 (VSB) (S.D.N.Y. Aug. 6, 2021), ECF No. 1 ¶ 24); and
- b. By **July 20, 2022**, Keurig shall file a response to the Letter, not exceeding three (3) pages.

The parties are directed to promptly order a transcript of today’s Conference.

Dated: New York, New York  
July 14, 2022

SO ORDERED.

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**